

Office of Professional Accountability (OPA)

Commendations & Complaints Report

June 2004

Commendations:

Commendation Received in June: 80

Commendations Received to Date: 393

Rank	Summary
(1) Detective	A detective received a commendation for volunteering his services to provide training for an external audience. The detective developed and presented the training segment which included amended changes in the laws.
(1) Officer	An officer spoke to a youth tutoring program and shared experiences and knowledge of concerns that youths may encounter in their lives.
(1) Lieutenant (1) Sergeant (5) Officers	An out-of-state organization attended a conference in the area and appreciated the professional services officers provided.
(1) Detective	A family extended their gratitude to a detective that apprehended two suspects and solved a murder case. The family believed the detective's perseverance and dedication to solving the crime went above the call of duty.
(1) Officer	An officer that handled a collision scene was extremely courteous and professional. His assessment was analytical, thorough and decisive. The officer's demeanor was appropriately authoritative, while he maintained a very calm composure.
(1) Detective	A presentation by a detective on a collision investigation reconstruction class at a local law-enforcement agency was well received. The detective's presentation was very informative, and his willingness to share his expertise was much appreciated.
(1) Detective	A detective assisted a business in an investigation of petty thefts. The detective's professionalism, experience and support helped resolve the series of crimes in a timely manner. Thanks to the persistent detective, stolen property was also recovered.
(1) Officer	An officer observed a young driver making a wide turn around a corner and pulled her vehicle over. The officer was very professional and courteous; and pointed out that her driving skills could have caused an accident. He is a credit to the department and should be commended for his superior service to the community.
(1) Officer	Two vehicles were involved in an accident in the height of rush hour traffic. An officer responded and her calm and authoritative demeanor and professional actions made a difference in the situation.
(1) Officer	An officer was contacted and requested to assist in the location and notification of a family member regarding a traumatic death. The officer worked diligently and was able to assist the family compassionately at a most difficult time.
(1) Officer	An officer responded to a 911-traffic accident call and assessed the traumatic situation immediately, remaining calm and professional. The officer followed-up with a phone call in the afternoon inquiring how the individuals were. His caring manner provided calming reassurance.
(4) Officers	Four officers were commended for their recovery of a vehicle reported stolen in Texas.
(1) Civilian	A commendation was sent to a civilian for the outstanding service and a willingness to foster commitment to neighborhood communities on emergency preparedness.
(1) Detective	A detective received special thanks for a follow-up investigation and arrest of a

	person that had made harassing threats. The detective went beyond the call of duty to bring this case to closure.
(2) Officers	Two officers assisted a disabled vehicle safely off a roadway. The driver was impressed with the officers' actions and professionalism and believed it reflected well upon the department.
(3) Officers	Three officers responded for assistance in dealing with a mentally unstable man. The officers were understanding and able to deal with this very difficult situation in a highly effective manner.
(2) Officers	Two officers received a commendation for the kindness and professional services they offered after a home burglary. The officers made suggestions and recommendations how to secure a home from vandals.
(1) Captain (1) Lieutenant Many Officers	A local church appreciated the department's assistance in granting permission for a special parade. Thanks go to all.
Multiple Officers	A charity acknowledged receipt of a very generous donation of stuffed animals that were collected for children by officers. The gifts will bring joy and assist in maintaining essential services provided by the charity. The charity is very grateful for the commitment to provide community support.
(2) Parking Enforcement Officers	Kudos to several parking enforcement officers on their customer relations with a visitor. Both officers were helpful and the visitor said it was the best customer service he had ever encountered. The visitor stated that the PEOs must have had excellent training and mentors.
(1) Civilian	A local law enforcement agency appreciated all the preparation and work a civilian provided for a presentation they made to their department.
(1) Officer	An officer attended a neighborhood meeting and the group appreciated all the suggestions made to enhance their security and address their concerns.
(2) Civilians	Two civilians provided excellent customer service and were very diligent in locating information requested by another law enforcement agency.
(1) Captain (1) Officer	Thanks were received for an informative presentation regarding the required bicycle helmet regulation.
(2) Officers	A "Kid ID" event at a local bank was well received by all who attended.
(2) Sergeant,(5) Detectives, (10) Officers, and (2) Latent Print Examiners	A dangerous suspect was located and arrested as a direct result of the outstanding teamwork and cooperation of a number of sergeants, detectives, officers and civilians. The team exhibited superior investigative and organizational skills.
(1) Officer	A citizen was impressed with an officer when he participated in a ride-along. The officer exhibited qualities of firmness and kindness. The whole experience was impressive with all the fast and precise decisions made on a moments notice.
(1) Sergeant (2) Detectives (3) Officers	Officers, Detectives and a Sergeant were commended for their part in a coordinated gang related investigation. Working together, the team brought four very dangerous criminals to justice.
(2) Officers	Several officers made a presentation to another law enforcement agency regarding officer safety, arrest procedures and drug identification processes. The officers made it fun, educational and presented the information in a very positive and supportive manner.
(1) Officer	An officer assisting at a traffic incident was courteous, efficient, and thorough.
(1) A/Chief	The department sponsored a youth and law forum, which continues to provide education, community outreach and the opportunity to learn more about the legal system.
(1) Officer	An officer was presented with a special award for police service for exceptional performance in a difficult assignment, investigation, and arrest while working with another law enforcement agency.

(3) Officers	Commendations to three officers were received for an outstanding job of investigation and arrest of an individual who made numerous threats to a business. The documentation provided on the case was excellent. Great Job!
Multiple Officers (1) Civilian	A business appreciated police presence and support when a group of protestors and counter-protesters arrived at the site. The incident ended peacefully and business continued without problems.
(1) Detective	Students at a local college were very impressed with a detective that spoke to an Investigations class. His presentation and wealth of information obtained over the many years in his career was informative. The college appreciated his support of education of future police officers.
(2) Officers	Two officers responded to a sensitive matter that involved a juvenile. The officers thoroughly investigated the juvenile's story which led to the arrest of two adult men. The officers did an outstanding job.

June 2004 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged the named officer used unnecessary force during an undercover drug transaction.	The investigation produced no evidence to support the complainant's allegation. Further, the alleged actions would be extremely implausible, and the named and witness officers strongly refute them. The reports written about the drug transaction are consistent in describing no physical contact between the complainant and the officer other than the hand-to-hand exchange of money and drugs. Finding – UNFOUNDED.
The subject's mother alleged that the named officer used unnecessary force on her son during an accident investigation.	The investigation revealed no evidence in support of the allegation. The complainant was the subject's mother and did not witness the incident. The investigator made numerous attempts to contact the complainant and subject, but neither cooperated. Records show that the primary officer called for back-up because the subject was not cooperating; the officers reported that they both grabbed an arm of the subject and escorted him to the patrol car. Finding – UNFOUNDED.
Complainant alleges named officers used unnecessary force and derogatory language while she was in the holding cell area following her arrest for narcotics.	An investigation produced no evidence that supported the complainant's allegations. The subject did not provide the medical forms necessary to review her claims. Finding – UNFOUNDED.
Complainant alleged that the named officers used unnecessary force during a stop and investigation of narcotics activity.	The evidence showed that the subject was uncooperative. The named officer states that he did try to put down the subject, but modified their tactics once they discovered that the subject was suffering from preexisting injuries. The subject's initial complaint never mentioned unnecessary force, and he failed to cooperate with this investigation. The officers' search and control techniques were within Department policy, and there is no indication of misconduct.

	Finding – EXONERATED.
Complainant alleged several named officers used unnecessary force at the precinct following her arrest, used profanity, and failed to identify themselves when asked. She further alleged that the officers' sergeant threatened her when she called to complain.	The investigation revealed no evidence of unnecessary force. The only physical contact with the complainant was when two officers picked her up off the floor after she knocked her chair over while handcuffed. Her allegations about profanity and failure to identify were vague and inconsistent. Finding as to Force – UNFOUNDED. Findings as to Conduct Unbecoming and Failure to I.D. – UNFOUNDED and EXONERATED. The sergeant provided a credible and plausible explanation for his comments to the complainant and referred her to OPA. Finding – EXONERATED.

MISUSE OF AUTHORITY

Synopsis	Action Taken
It was alleged that the named officer misused his authority by calling SPD officers to investigate a possible theft by an acquaintance of police equipment.	The evidence indicates that the named officer called his supervisor to inform him of the situation, and was instructed to call 911, which he did. The named officer did not participate in the investigation or decision-making at the scene. The actions of the named officer were reasonable under the circumstances, and it does not appear that he used his authority as a police officer. Rather, he exercised his right as a citizen to contact the Department to report a possible theft. Finding – UNFOUNDED.

CONDUCT UNBECOMING AN OFFICER

Synopsis	Action Taken
It was alleged that the named employee conducted himself in a manner unbecoming an officer when he materially participated in the operation and management of a restaurant and lounge where chronic criminal activity took place.	Investigation produced evidence supporting the allegation. Finding – SUSTAINED.

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

Referred for Supervisory Resolution.

Training or Policy Recommendation means that there has been no willful violation but that there may be deficient policies or inadequate training that need to be addressed.

“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

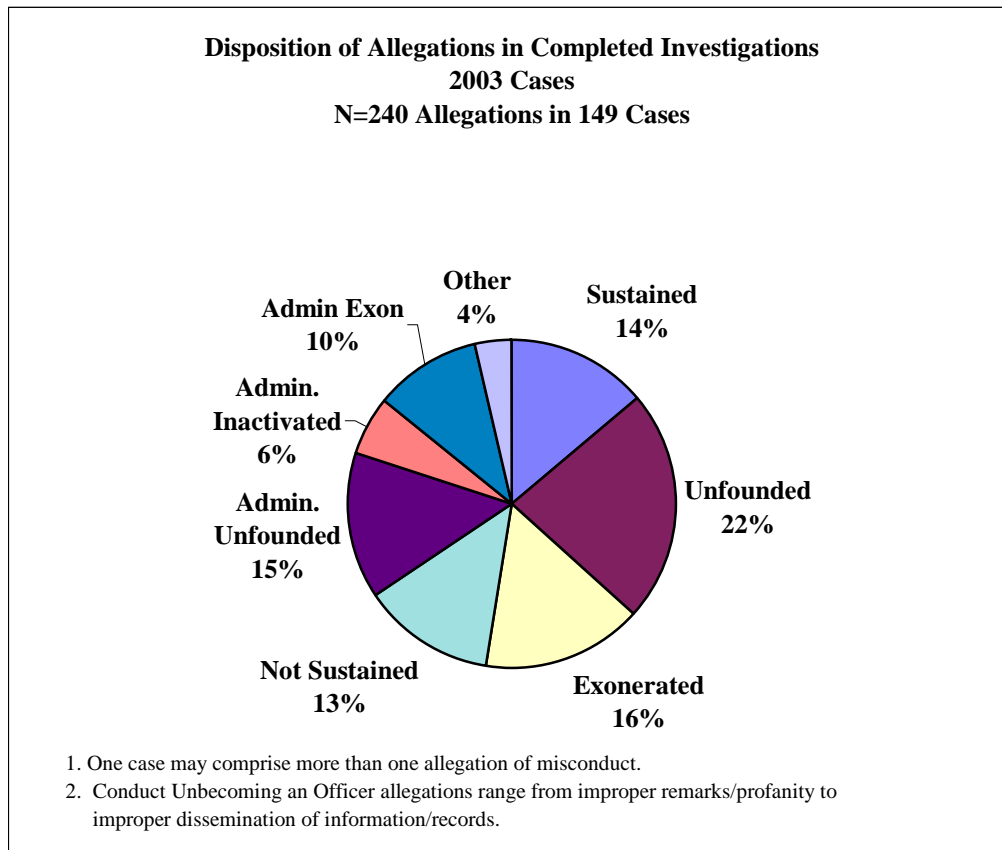
“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

Status of OPA Contacts to Date:

2003 Contacts

	December 2003	Jan-Dec 2003
Preliminary Investigation Reports	7	415
Cases Assigned for Supervisory Review	2	79
Cases Assigned for Investigation (IS;LI)	10	185
Cases Closed	8	149*
Commendations	70	861

*includes 2003 cases closed in 2004



2004 Contacts

	June 2004	Jan-Dec 2004
Preliminary Investigation Reports	19	149
Cases Assigned for Supervisory Review	4	29
Cases Assigned for Investigation (IS;LI)	14	99
Commendations	80	393